

IV. REMARKS**Status of the Claims**

Claims 1-15 are presented for further consideration.

Summary of the Office Action

Claims 1-15 stand rejected under 35USC102(e) on the basis of the cited reference Frodigh, et al, U.S. Patent No. 6,125,148. The Examiner is respectfully requested to reconsider his rejection in view of the following remarks.

Discussion of the Cited Reference

The Examiner continues to rely on the reference Frodigh to support the rejection based on anticipation. Applicant submits that the examiner is mistaken with respect to the teaching of the cited reference. The Examiner repeats the characterization of the teaching of Frodigh as follows:

"transmitting the symbols carrying the signifying information as a block of consecutive symbols in a certain transmission burst of a traffic channel (see fig. 3 and col 7, lines 11-20 and 47-57, col 12, lines 10-30)"

A review of the cited sections indicates that: at Column 7, lines 11-20 an RF channel is divided into frames, which are further divided to time slots used to transmit packets. Traffic channels and signalling channels exist; in Column 7, lines 47-57 various types of bursts exist for various purposes; and in Column 12, lines 10-30 in-band signalling exists and a number of symbols are reserved in a burst for this purpose. These have a predetermined location. Modulation for the in-band signalling is selected appropriately.

None of the cited passages suggests placing in-band signalling symbols in the burst so that the symbols would constitute a block of consecutive symbols. Quite the contrary, the last-mentioned passage equates the signalling symbols with stealing flags. Stealing flags are very well known to be single, separately occurring symbols.

Further, at column 12, lines 31-40, with reference to figure 8, the cited reference clearly and unmistakably shows how the in-band signalling symbol k is alone between data or training symbols, and thus does not form a part of any block of consecutive signalling symbols.

At the most, the reference Fordigh describes individual symbols of signalling information interspersed with other unrelated information in a burst. The claims of this application require that the symbols, carrying the signalling information, be transmitted as a block of consecutive symbols in a certain transmission burst of a traffic channel.

This is intended to mean that the signalling symbols constitute a block of consecutive symbols, namely, that if a certain passage of consecutive symbols is taken from the burst they would include signalling symbols only and not any other symbols in between.

A single symbol cannot constitute a "block of consecutive symbols".

The disclosure of Frodigh, therefore, fails to show that the symbols carrying the signaling information are transmitted as a block of consecutive symbols. Since this is a significant limitation in the claims of this application, the cited reference

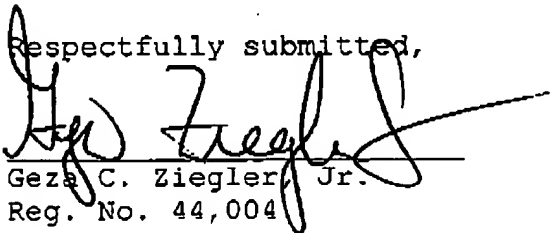
does not anticipate the claimed subject matter.

These arguments apply equally to the rejected dependent claims.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,


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20 JULY 2005
Date

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